Grant of mining lease

*250. SHRI KRISHNA KUMAR BIRLA: Will the Minister of COAL AND MINES be pleased to state:

(a) whether Government have modified rules and regulations for grant of mining lease; if so, the details thereof;

(b) the details of individuals/firms to which licences for mining leases were issued by Government during the last one year and under what terms and conditions;

(c) whether violation of rules and regulations by licencees have come to light; and

(d) if so, the details thereof?

THE MINISTER OF COAL AND MINES (SHRI RAM VILAS PASWAN): (a) Mineral Concession Rules, 1960 (MCR) which lays down the rules and regulations for grant of mining lease have recently been amended *vide* Notification dated 11.1.2002. A copy of this notification has been laid on the table of the House on 13.3.2002. The amendments *inter-alia* prescribe a time limit for conveying a decision on application for mining leases within twelve months and for any delay, the reasons would have to be recorded in writing by the State Government. A time limit of ninety days have been prescribed for Indian Bureau of Mines and State Government to convey decision on the mining plans submitted for approval. Also, the fee structure for various applications under the rules have also been revised to make these pertinent to the cost of processing the application.

Mineral Conservation and Development Rules, 1988 (MCDR) which lays down the conditions for systematic and scientific mining have also been recently amended *vide* notification dated 11.1.2002. A copy of this notification has been laid on the table of the House on 13.3.2002. The amendments have *inter-alia* made the penalties for violation of provisions of MCDR much more stiffer.

(b) Mining leases are granted by the State Governments concerned, as per the terms and conditions specified in MCR, 1960.

However, State Governments are required to seek prior concurrence of the Central Government for grant of mining leases for minerals specified in the First Schedule to the Mines and Minerals (Development and Regulation) Act, 1957. Department of Mines have given concurrence for grant of mining leases in 99 and 56 cases during 2000-2001 and 2001-2002 (uptil 15.3.2002) respectively. State-wise details appended in statement (*See* below).

(c) and (d) The Indian Bureau of Mines (IBM) undertakes inspections/studies for the enforcement of provisions of MCDR, 1988 which include provisions on protection of mines environment. During inspections it ensures that mine operators are taking due care for removal and utilisation of top soil, storage of over-burden/waste rock, reclamation and rehabilitation of land, precaution against ground vibration, control of ground subsidence, abatement measures against air, water & noise pollution, restoration of flora etc, in addition to other conservation and development measures. Necessary guidance to mine managements/operators are also given for systematic and scientific development of mines including protection of environment.

During the year 2001-2002 (upto December, 2001) 1,644 violations of Mineral Conservation and Development Rules (MCDR) 1988 were pointed out in respect of 986 mines and 613 violations were fully rectified. Fifty one prosecutions were launched in various courts. Thirty three cases were decided in favour of IBM and 7 cases were compounded. Besides, mining operations were suspended under Rule 13(2) of MCDR 1988 in respect of 9 mines *i.e.* 4 in Rajasthan, 3 in Karnataka and 2 in Goa States.

Statement

Central Government concurrence to grant of mining leases in different States during the year 2000-2001 and 2001-2002 (upto 15.3.2002)

Sl. No.	Name of the State	2000-2001	2001-02 (upto 15.3.2002)
1.	Andhra Pradesh	12	6
2.	Bihar	1	—
3.	Gujarat	—	5
4.	Karnataka	7	2
5.	Madhya Pradesh	5	—
6.	Maharashtra	11	9
7.	Orissa	8	5
8.	Rajasthan	5	10
9.	Sikkim	—	1
10.	Tamil Nadu	50	17
11.	Chhattisgarh	—	1
	GRAND TOTAL:	99	56

Mineral Concession Rules

*251. SHRI K. RAMA MOHANA RAO: Will the Minister of COAL AND MINES be pleased to state:

(a) whether Government have amended the Mineral Concession Rules, 1960 and Mineral Conservation and Development Rules, 1988 respectively;

(b) whether any consultations were held before amending the Rules for removing bottlenecks and paving the way for further investment in mining sector;

(c) if so, what is the outcome of the consultations/meetings held;

(d) Whether Government are thinking of 100 percent foreign